



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

FACT SHEET FOR S.B. 1332

emancipated minors; orders; employment rights

Purpose

Exempts emancipated minors from specified labor laws. Modifies criteria for obtaining an emancipation order.

Background

An emancipation order recognizes a minor as an adult for the purpose of: 1) the right to enter into a binding contract; 2) the ability to sue and be sued; 3) the right to buy and sell real property; 4) the right to establish a legal residence; 5) the obligation to pay child support; 6) the right to incur debts; 7) the right to access medical treatment and records; 8) the right to consent to medical, dental and psychiatric care without parental consent, knowledge or liability; 9) the right to consent to medical, dental and psychiatric care for the emancipated minor's child; 10) eligibility for social services; 11) the right to obtain a license to operate equipment or perform a service; 12) the right to apply for enrollment in any school or college; and 13) the ability to apply for loans ([A.R.S. § 12-2454](#)).

An emancipation order terminates a parent's or legal guardian's: 1) right to the emancipated minor's income; 2) future child support obligations relating to the emancipated minor; 3) tort liability for the emancipated minor's actions; 4) obligation to financially support the emancipated minor after the first day of the month following entry of the order; and 5) obligation to provide medical support for the emancipated minor ([A.R.S. § 12-2454](#)).

Statute allows a minor who wishes to be emancipated to file a petition for an emancipation order if the minor: 1) is at least 16 years old; 2) is a resident of Arizona; 3) is financially self-sufficient; 4) acknowledges in writing that the minor has read and understands information that is provided by the court that explains the rights and obligations of an emancipated minor and the potential risks and consequences of emancipation; and 5) is not a ward of the court and is not in the care, custody and control of a state agency ([A.R.S. § 12-2451](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Exempts emancipated minors from:
 - a) prohibited employment of persons under the age of 18;
 - b) prohibited employment of persons under the age of 16; and
 - c) permissible hours of labor for persons under the age of 16.

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2. Allows an emancipated minor to pursue any opportunity not specified in statute that is provided by law to a person who is at least 18 years old.
3. Allows a minor to file a petition for an emancipation order if the minor is:
 - a) a ward of the court; or
 - b) in the care, custody and control of a state agency.
4. Requires a petition for emancipation to include whether the minor has obtained an offer of employment and requires the court to consider whether the minor has obtained an offer of employment in determining emancipation.
5. Requires the court to consider the opinions and recommendations of the minor's *legal guardian*, rather than *guardian*, in the determination of emancipation.
6. Makes technical changes.
7. Becomes effective on the general effective date.

Prepared by Senate Research

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